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*Attorneys for James M. Rhodes*

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:  
THE RHODES COMPANIES, LLC, aka  
"Rhodes Homes," *et al.*,

Reorganized Debtors

JAMES M. RHODES,

Appellant,

v.

THE LITIGATION TRUST OF THE  
RHODES COMPANIES, LLC, *et al.*,

Appellee.

District Court No. 2:11-cv-01705-PMP-GWF

Bankruptcy Case No.: 09-14814-LBR  
(Jointly Administered)

Chapter 11

**APPELLANT'S DESIGNATION OF  
RECORD ON APPEAL**

On October 18, 2011, Appellant James M. Rhodes ("**Appellant**") filed a notice of appeal from the *Order Denying Motion to Quash Rule 2004 Examination and Corresponding Subpoenas* (the "**Order**") entered in this case by the Honorable Linda B. Riegler on October 12, 2011.

Pursuant to Fed. R. Bankr. P. 8006 and Local Rule 8001, Appellant hereby designates the following documents, pleadings, papers, and transcripts from the above-entitled case as part of the record on his appeal:

DOCUMENT DESCRIPTION	DOCUMENT NUMBER	DOCUMENT FILING DATE
Proof of Claim No. 33-1	33-1	07/17/09
Amended Chapter 11 Plan Number Third Amended Filed by NILE LEATHAM on behalf of STEERING COMMITTEE OF SENIOR SECURED LENDERS (Attachments: # 1 Exhibit 1# 2 Exhibit 2)(LEATHAM, NILE) (Entered: 02/18/2010)	1013	02/28/10
Omnibus Motion for 2004 Examination of <i>Financial Institutions</i> with Proposed Order with Certificate of Service filed by JACOB J ROBERTS on behalf of THE LITIGATION TRUST OF THE RHODES COMPANIES, LLC (Attachments # 1 Proposed Order) (ROBERTS, JACOB) (Entered: 08/25/2011)	1503	08/25/11
ORDER DENIED (Order Requiring Financial Institutions to Produce Custodian of Records for Examination Pursuant to Federal Rule of Bankruptcy Procedure 2004) (Related document(s) 1503 ) (lme) Modified on 8/30/2011 to Reflect Title of Order (Lakas, WM). (Entered: 08/26/2011)	1508	08/26/11
Omnibus Motion for 2004 Examination of <i>Financial Institutions</i> with Proposed Order with Certificate of Service Filed by JACOB J ROBERTS on behalf of THE LITIGATION TRUST OF THE RHODES COMPANIES, LLC (Attachments: # 1 Proposed Order)(ROBERTS, JACOB) (Entered: 08/29/2011)	1511	08/29/11
Order Requiring Financial Institutions to Produce One or More Corporate Representatives for Examination Pursuant to Federal Rule of Bankruptcy Procedure 2004 (Related document(s) 1511 ) (lme) Modified on 8/30/2011 to Reflect Title of Order (Lakas, WM). (Entered: 08/30/2011)	1512	08/30/11
Motion for 2004 Examination of <i>Law Firms</i> with Proposed Order with Certificate of Service Filed by JACOB J ROBERTS on behalf of THE LITIGATION TRUST OF THE RHODES COMPANIES, LLC (Attachments: # 1 Proposed Order)(ROBERTS, JACOB) (Entered: 08/30/2011)	1514	08/30/11
Motion for 2004 Examination of <i>Title Companies</i> with Proposed Order with Certificate of Service Filed by JACOB J ROBERTS on behalf of THE LITIGATION TRUST OF THE RHODES COMPANIES, LLC (Attachments: # 1 Proposed Order)(ROBERTS, JACOB) (Entered: 08/30/2011)	1515	08/30/11

1	Motion for 2004 Examination of <i>Other Professionals</i> with Proposed Order with Certificate of Service Filed by JACOB J ROBERTS on behalf of THE LITIGATION TRUST OF THE RHODES COMPANIES, LLC (Attachments: # 1 Proposed Order)(ROBERTS, JACOB) (Entered: 08/30/2011)	1516	08/30/11
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3	Order Requiring Title Companies to Produce One or More Corporate Representatives for Examination Pursuant to Federal Rule of Bankruptcy Procedure 2004 (Related document(s) 1515) (lme) (Entered: 08/30/2011)	1517	08/30/11
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5	Order Requiring Law Firms to Produce One or More Corporate Representatives for Examination Pursuant to Federal Rule of Bankruptcy Procedure 2004 (Related document(s) 1514 ) (lme) (Entered: 08/30/2011)	1518	08/30/11
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7	Order Requiring Professionals to Produce One or More Corporate Representatives for Examination Pursuant to Federal Rule of Bankruptcy Procedure 2004 (Related document(s) 1516 ) (lme) (Entered: 08/31/2011)	1519	08/31/11
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9	Motion to Quash <i>Orders of Rule 2004 Examination and Corresponding Subpoenas and/or for Protective Orders</i> Filed by KEVIN N. ANDERSON on behalf of JAMES RHODES (Related document(s) 1517 Order on Motion for Examination, 1518 Order on Motion for Examination, 1519 Order on Motion for Examination)(ANDERSON, KEVIN) (Entered: 09/14/2011)	1538	09/14/11
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11	Supporting Motion to Quash <i>Memorandum of Law in Support of Motion to Quash Orders of Rule 2004 Examination and Corresponding Subpoenas and/or for Protective Orders</i> Filed by KEVIN N. ANDERSON on behalf of JAMES RHODES (Related document(s) 1538 Motion to Quash filed by Creditor JAMES RHODES) (Attachments: # 1 Exhibit A - American Commonwealth Mortgage Company Subpoena# 2 Exhibit B - Fabian Subpoena)(ANDERSON, KEVIN) (Entered: 09/14/2011)	1539	09/14/11
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13	Ex Parte Motion for Order Shortening Time for Notice and Hearing on Motion to Quash <i>Orders of Rule 2004 Examination and Corresponding Subpoenas and/or for Protective Orders</i> with Proposed Order Filed by KEVIN N. ANDERSON on behalf of JAMES RHODES (Related document(s) 1538 Motion to Quash filed by Creditor JAMES RHODES) (Attachments: # 1 Exhibit Text of Proposed Order)(ANDERSON, KEVIN) (Entered: 09/15/2011)	1543	09/15/11
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15	Declaration Of: Kevin N. Anderson in Support of Ex Parte Motion for Order Shortening Time for Notice and Hearing on Motion to Quash Orders of Rule 2004 Examination and Corresponding Subpoenas and/or for Protective Orders Filed by KEVIN N. ANDERSON on behalf of JAMES RHODES (Related document(s) 1543 Ex Parte Motion for Order Shortening Time Filed by KEVIN N. ANDERSON on	1545	09/15/11
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1	behalf of JAMES RHODES) (ANDERSON, KEVIN) Modified on 9/16/2011 to relate to #1543 in place of #1538 (DeVaney, HA). (Entered: 09/15/2011)		
2	Attorney Information Sheet <i>for Proposed Order Shortening</i> Time Filed by KEVIN N. ANDERSON on behalf of JAMES 3 RHODES (Related document(s) 1538 Motion to Quash filed 4 by Creditor JAMES RHODES) (ANDERSON, KEVIN) (Entered: 09/15/2011)	1546	09/15/11
5	Order Shortening Time for Notice and Hearing on Motion to Quash Orders of Rule 2004 Examination and Corresponding 6 Subpoenas and/or for Protective Orders (Related document(s) 1543). Hearing scheduled 9/27/2011 at 10:30 7 AM at LBR-Courtroom 1, Foley Federal Bldg. (Related document(s) 1538 Motion to Quash filed by Creditor 8 JAMES RHODES.) (lme) (Entered: 09/20/2011)	1552	09/20/11
9	Response to <i>Motion to Quash Subpoenas</i> with Certificate of Service Filed by MICHAEL YODER on behalf of THE 10 LITIGATION TRUST OF THE RHODES COMPANIES, LLC (Related document(s) 1538 Motion to Quash filed by 11 Creditor JAMES RHODES.) (YODER, MICHAEL) (Entered: 09/23/2011)	1555	09/23/11
12	Declaration Of: JACOB J. ROBERTS <i>in Support of</i> <i>LITIGATION TRUST'S Response to Motion to Quash</i> 13 <i>Subpoena</i> with Certificate of Service Filed by MICHAEL YODER on behalf of THE LITIGATION TRUST OF THE 14 RHODES COMPANIES, LLC (Related document(s) 1555 Response filed by Other Prof. THE LITIGATION TRUST 15 OF THE RHODES COMPANIES, LLC) (YODER, MICHAEL) (Entered: 09/23/2011)	1556	09/23/11
16	Notice of Hearing <i>on Motion to Quash</i> Hearing Date: 10/5/2011 Hearing Time: 9:30 A.M. Filed by KEVIN N. 17 ANDERSON on behalf of JAMES RHODES (Related document(s) 1538 Motion to Quash filed by Creditor 18 JAMES RHODES) (ANDERSON, KEVIN) (Entered: 09/27/2011)	1560	09/27/11
19	Reply Memorandum <i>in Support of Motion to Quash Orders</i> <i>of Rule 2004 Examination and Corresponding Subpoenas</i> 20 <i>and/or for Protective Orders</i> Filed by KEVIN N. ANDERSON on behalf of JAMES RHODES (Related 21 document(s) 1538 Motion to Quash filed by Creditor JAMES RHODES.) (ANDERSON, KEVIN) (Entered: 09/30/2011)	1563	09/30/11
22	Declaration Of: Kevin N. Anderson Filed by KEVIN N. ANDERSON on behalf of JAMES RHODES (Related 23 document(s) 1538 Motion to Quash filed by Creditor JAMES RHODES) (ANDERSON, KEVIN) (Entered: 24 09/30/2011)	1564	09/30/11
25	Order Denying Motion To Quash Rule 2004 Examination and Corresponding Subpoenas(Related document(s) 1538 ) 26 (lme) (Entered: 10/12/2011)	1570	10/12/11

1	Notice of Appeal. Filed by KEVIN N. ANDERSON on behalf of JAMES RHODES. Fee Amount \$255 (Related document(s) 1570 Order on Motion To Quash.) (Attachments: # 1 Exhibit A - Order Denying Motion to Quash Rule 2004 Examination and Corresponding Subpoenas)(ANDERSON, KEVIN) (Entered: 10/18/2011)	1577	10/18/11
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4	Election to Appeal to District Court. Filed by KEVIN N. ANDERSON on behalf of JAMES RHODES (Related document(s) 1577 Notice of Appeal filed by Creditor JAMES RHODES.)(ANDERSON, KEVIN) (Entered: 10/18/2011)	1578	10/18/11
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7	Transcript regarding Hearing Held on 09/27/11. The transcript may be viewed at the Bankruptcy Court Clerk's Office. For additional information, you may contact the Transcriber Cline Transcription Services, Inc., Telephone number (702) 644-1123. Purchasing Party: Nile Leatham, Esq. Redaction Request Due By 11/22/2011. Redacted Transcript Submission Due By 12/2/2011. Transcript access will be restricted through 01/30/2012. (CLINE TRANSCRIPTION SERVICES) (Entered: 11/01/2011)	1589	11/01/11
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11	Transcript regarding Hearing Held on 10/05/11. The transcript may be viewed at the Bankruptcy Court Clerk's Office. For additional information, you may contact the Transcriber Cline Transcription Services, Inc., Telephone number (702) 644-1123. Purchasing Party: Kevin Anderson, Esq. Redaction Request Due By 11/22/2011. Redacted Transcript Submission Due By 12/2/2011. Transcript access will be restricted through 01/30/2012. (CLINE TRANSCRIPTION SERVICES) (Entered: 11/01/2011)	1590	11/01/11
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18 DATED this 1<sup>st</sup> day of November, 2011.

19 /s/ Kevin N. Anderson

20 Kevin N. Anderson

21 David R. Hague

22 FABIAN & CLENDENIN

a Professional Corporation

23 Attorneys for James M. Rhodes

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